



PATENT
Docket No. 543822002300

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Dirk EFFERENN et al.

Serial No.: 10/721,752

Filing Date: November 26, 2003

For: METHOD FOR FABRICATING A
SEMICONDUCTOR STRUCTURE

Examiner: David S. Blum

Group Art Unit: 2813

PETITION UNDER 37 CFR 1.97(f)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request that the Examiner consider and acknowledge the references cited in the Information Disclosure Statement ("IDS") filed on July 19, 2005.

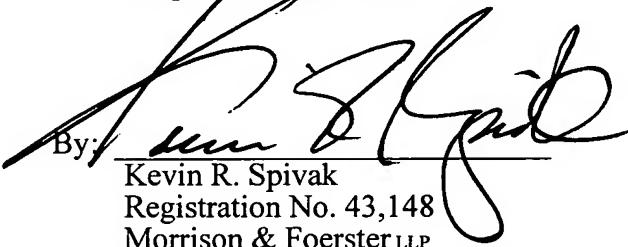
Applicants filed an IDS with the initial application on November 26, 2003. On June 9, 2005, applicants received a Notice of Allowability with a statement from the Examiner. The Examiner refused to acknowledge three Japanese references filed with the IDS filed on November 26, 2003, because the abstracts lacked an English translation. In response to the Examiner's refusal of acknowledgement, applicants filed an IDS on July 19, 2005, resubmitting the references with English abstracts. After a telephone conversation with the Examiner on August 17, 2005, applicants were advised to file a petition to have the IDS considered.

Applicants understand that although no extensions of time are permitted for filing an IDS, pursuant to 37 CFR 1.97(f), if a bona fide attempt is made to comply with §1.98 but part of the required content is inadvertently omitted, additional time may be given to enable full compliance.

The Supplemental IDS filed on July 19, 2005, was filed after mailing of the Notice of Allowance, but before payment of the issue fee. The certification under 37 C.F.R. § 1.97(e) could not be made, however, the IDS was being submitted only to enable full compliance of the original filing.

A copy of the IDS and the references along with the English abstracts are attached herewith. Applicants respectfully request that the Examiner consider and acknowledge the references so that they may appear on the face of the Letters Patent.

Respectfully submitted,

By: 
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Dated: September 8, 2005



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**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of the documents are submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

U.S. Application No. 10/721,752

PATENT
Docket No. 543822002300

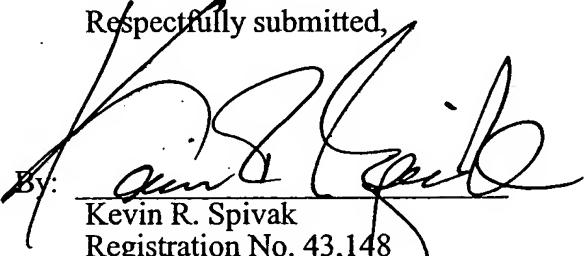
The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 543822002300.

Dated: July 19, 2005

Respectfully submitted,

By:


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Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)		Docket Number 543822002300	Application Number 10/721,752
		Applicant	Dirk EFFERENN et al.
		Filing Date November 26, 2003	Group Art Unit 2813
		Mailing Date July 19, 2005	



U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	1.	4/24/2003	DE 101 49 199	Germany			Abstract
	2.	3/6/2003	DE 101 39 430	Germany			Abstract
	3.	3/6/2003	DE 101 39 431	Germany			Abstract

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.